

APPLICATION GRANTED  
SO ORDERED *Vern Bro*  
VERNON S. BRODERICK  
U.S.D.J. 7/14/2023



Briefing shall take place on the schedule set out in this letter.

OF NEW YORK  
AW  
DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NY 10007

NOAH POTTER  
Special Assistant Corporation Counsel  
Labor and Employment Law Division  
Phone: (917) 754-4875  
email: npotter@law.nyc.gov

July 13, 2023

**By ECF**

Honorable Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: *Westbrook v. City of New York Department of Education, et al.*  
23-cv-3164 (VSB)

Dear Judge Broderick:

I am a Special Assistant Corporation Counsel in the Office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants (the "Defendants") in the above-referenced action. I write to respectfully request, on Plaintiff's consent, a one-week extension of time, from July 17, 2023, to July 24, 2023, for Defendants to file their motion to dismiss the Complaint. My request is necessitated by my existing active caseload; the motion is substantially complete but requires a short extension of time in order to finalize it.

This is Defendants' second request for an extension of time to respond to the Complaint. The requested extension will not affect any other dates.

On May 12, 2023, I filed a letter motion for a 60-day extension of time from May 18, 2023, to July 17, 2023, for defendant the Department of Education to respond to the Complaint (ECF Docket No. 5) On May 15, 2023, the Court granted the extension. As of June 9, 2023, the time for all of the Defendants to respond to the Complaint the July 17, 2023. (ECF Docket No. 16)

If the Court grants Defendants' request, the parties have conferred and propose the following briefing schedule:

- Defendants to file their motion to dismiss the complaint on July 24, 2023.

- Plaintiff to file opposition to Defendants' motion to dismiss on or before September 8, 2023.
- Defendants to file reply on or before September 28, 2023<sup>1</sup>. I will be travelling in September and then going into the High Holidays so I need a little extra time for the reply.

I appreciate the Court's attention and consideration of this request.

Respectfully Submitted,

s/Noah Potter  
Special Assistant Corporation  
Counsel

cc: Alonzo Westbrook, pro se plaintiff  
*By USPS (service) and email (courtesy copy)*

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<sup>1</sup> I will be travelling in September and then going into the High Holidays so Defendants will need a little extra time for reply.